

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS GREGORY SMITH,

Defendant.

CASE NO. CR05-224C

ORDER

The Court, having considered the stipulated motion of the parties for continuance of pretrial motions date and trial date (Dkt. No. 29) and the records and files herein, the Court hereby makes the following findings:

1. The Court finds that Defendant has executed a speedy trial waiver through June 30, 2006 (Dkt. No. 30).
2. The current pretrial motions deadline is March 9, 2006 and the current trial date is April 17, 2006.
3. The settlement conference in this matter has been rescheduled for April 10, 2006, and if the case is not resolved at the settlement conference, counsel will need additional time to prepare the case for trial.

4. The Court finds that a failure to grant the continuance requested by the parties would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

5. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

IT IS THEREFORE ORDERED that the time within which pretrial motions must be filed in this case is extended from March 9, 2006 to May 11, 2006, and the trial date is extended from April 17, 2006 to June 12, 2006.

IT IS FURTHER ORDERED THAT the time period between the date of this Order and the new trial date is excludable time, pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) for the purposes of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161–3174.

SO ORDERED this 27th day of March, 2006.

/s/ James L. Robart

United States District Judge